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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,012	07/06/2006	Christopher M. Schnabel	FIS920030250US1	4724

32074 7590 01/06/2010

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EXAMINER	
TRINH, MINH N	

ART UNIT	PAPER NUMBER
3729	

NOTIFICATION DATE	DELIVERY MODE
01/06/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

EFIPLAW@US.IBM.COM

Office Action Summary	Application No.	Applicant(s)	
	10/597,012	SCHNABEL ET AL.	
	Examiner	Art Unit	
	Minh Trinh	3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 September 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) *19-23* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 11-14* is/are rejected.

7)☒ Claim(s) *10 and 15-18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/22/09*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Applicants'amendment filed on 9/10/09 has been fully considered and made of record. Newly claim 24 is added.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caccoma et al (4342090) in view of Simon (5596229)

Caccoma et al teach the chip mounting system having at least one carrier 15 integrally holding a plurality of parts (24 A-C), and a transport 37 for moving the at least one carrier 15 (see Fig. 1, depicts a carrier 15, having means for alignment 35, 36 and a transport 37 for moving the carrier 15). Caccoma et al do not teach the claimed carrier holding plurality of parts along with an assembly area which having cavity and

posts. Simon discloses at least one carrier holding plurality of parts (see Fig. 4 depicts carrier 40 holding plurality of parts) along with an assembly area which having cavity and posts 50 associated therefrom (see Fig. 4). Therefore, it would have been obvious to one ordinary having skill in the art at the time the invention was made to employ the Simon's teachings as described above into the system invention of Caccoma et al in order to obtain a desired structure including the above.

As applied to claims 14 and 24 Caccoma's Fig. 1, shows the carriers and transport means being controlled by driving means 35 and 36.

Since the prior art meets every aspect limitation of the claims therefore it is capable of performing the function including the " transferring the parts from said at least one carrier to the assembly area using alignment posts" as recited in claim 24.

4. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caccoma et al or Simon in view of Arakawa et al (5822847).

Caccoma et al do not teach the cavity being provided with a plurality of post to guide the carriers containing the parts into place within the cavity as that as recited in claims 3-5. Arakawa et al teach the above structural features (see Figs. 3-4, and the discussed at col. 5, lines 54-60). Therefore, it would have been obvious to one ordinary having skill in the art at the time the invention was made to employ the Arakawa 's teachings as described above into the system invention of Caccoma et al in order to obtain a desired structure by using the available techniques.

5. Claims 6-7, 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caccoma et al or Simon in view in view of Galli (3724068).

Caccomas et al do not teach the limitations of claims 6-13 i.e., mechanical tab, and the remove by etching, mechanical destruction by current and laser ablation or the like. Galli teaches the use of mechanical tab (see Figs. 2-3, and the discussion at col. 2, line 45-68), further, Galli inherent discloses the removing of the tab, by etching and by means of ablation. Therefore, it would have been obvious to one ordinary having skill in the art at the time the invention was made to employ the Galli 's teachings as described above into the system invention of Caccoma et al in order to form a desired structure having mechanical tab and the removing by etching and ablation associated therefrom.

Response to Arguments

6. Applicant's arguments with respect to the rejected claims have been considered but are moot in view of the new ground(s) of rejection.

Applicants' arguments have been acknowledged.

7. Claims 10 and 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. This application contains claims 19-23 are drawn to an invention nonelected with traverse in the reply filed on 4/8/09. A complete reply to the final rejection must include

cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (571) 272-4569. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mt
12/29/09

/Minh Trinh/
Primary Examiner, Art Unit 3729